

ORDINANCE NO. 1110

AN ORDINANCE AMENDING CERTAIN SECTIONS  
OF LODI CITY CODE, CHAPTER 20 RE SEWER  
CHARGES AND CONNECTION FEES

WHEREAS, the public health of the City of Lodi required the reconstruction and additions to the sanitary sewage disposal facilities of the City of Lodi, and

WHEREAS, a part of the financing and funding for the reconstruction of said facility was obtained through the United States Government, "Environmental Protection Agency (Water Quality Office), " and

WHEREAS, a part of the conditions of the grant of said funds to City requires that the City of Lodi charge users of said sanitary disposal system an amount of money that will help pay the City's cost of said construction and also provide funds for future maintenance costs of the entire sewer system, and

WHEREAS, it is necessary that the aforesaid levies and charges be fixed immediately ,

NOW, THEREFORE, the City Council enacts this ordinance as an urgency ordinance.

Be it ordained by the City Council of the City of Lodi as follows:

There is hereby added to the Lodi City Code a new section to be numbered Sec. 20-1A to read as follows:

**SEC. 20-1A. CLASSIFICATION OF SEWER SERVICE CHARGES AND CONNECTION FEES**

All discharges shall be classified for wastewater collection, treatment, and disposal purposes in accordance with the principle activity conducted upon the

premise, as determined by the Public **Works** Director. The purpose of classification is to facilitate the regulation of wastewater discharge based on quantity and quality of flow, to provide an effective means of industrial waste source control, and to establish a system of sewage service charges and connection fees which will insure recovery of City capital, operating and maintenance costs in an equitable manner.

Sec. 20-2 of the Code of the City of Lodi is hereby repealed and a new section to be numbered Sec. 20-2 is hereby enacted to read in full as follows:

**SEC. 20-2. DOMESTIC SYSTEM SEWER SERVICE CHARGES AND CONNECTION FEES**

- A. General.** Charges for use of the domestic sewer system shall be determined by the volume, biochemical oxygen demand (BOD), and suspended solids (SS) of wastes discharged.

Those residential, commercial, and industrial users whose discharge of wastes are of moderate strength (~~less than 300 mg/l of BOD and SS~~) with volume being the only significant variation shall pay charges as determined in Sec. 20-2C, herein. Those dischargers, of industrial and commercial wastes, having high-strength wastes (over 300 mg/l of BOD or SS) and/or high-volume discharges shall pay charges as determined in Sec. 20-2D, herein.

Selection of the method to be used for determining the service charge for each specific discharger shall be made by the Public Works Director.

- B. Sewage Service Unit.** A sewage service unit shall be the basis for charging residential, commercial, and industrial dischargers with a moderate-strength waste. One unit is established as equal to the flow

from a two-bedroom residence (280 gal per day), and having a strength less than 300 mg/l of BOD and SS. All dischargers having low flow and moderate-strength waste will be assigned sewage service units. The minimum sewage service units assigned to any commercial and industrial dischargers shall be 1.0 unit.

C. Moderate-Strength Sewage Service Charges. The cost of treating one sewage service unit is calculated annually by dividing the total operating, maintenance, and capital costs of wastewater facilities allocated to moderate-strength dischargers by the total number of units. Service charges for users in each category shall be determined by multiplying the unit cost by the number of sewage service units for each category.

(1) Residential sewage service charges shall be based upon the number of bedrooms per dwelling unit as follows:

<u>Number of Bedrooms</u>	<u>Sewage Service Units</u>	<u>Monthly<sup>1</sup> Rate</u>
1	0.75	2.54
2	1.00	3.39
3	1.25	4.24
4	1.50	5.09
5	1.75	5.93
6	2.00	6.78
7	2.25	7.62

<sup>1</sup>Based on the 1977 cost of treating one sewage service unit of \$40.64 per year.

(2) Commercial and industrial sewage service charges shall be based on the number of sewage service units assigned to each category of user as follows:

Number	Category	Unit of Measure	Sewage Service Units	Monthly Rate
1.	Meeting place, religious	Ea 200 seats		
2.	Meeting place, public	Ea 100 seats		
3.	Hotel, motel	Ea 5 beds		
4.	Veterinary clinic	Ea 10 kennels		
5.	Post Office	Ea 25 employees		
6.	Funeral parlor	Ea 2 employees		
7.	Service station pumps	Ea 3 pumps		
8.	Car wash bays	Ea bay		
9.	School, 8th grade & below	Ea 25 students		
10.	High school	Ea 20 students		
11.	Eating place, seating only	Ea 10 seats		
12.	Eating place, seating & take-out	Ea 7 seats		
13.	Eating place, take-out only	Ea 5 employees		
14.	Lunch truck business	Ea 5 employees		
15.	laundry, coin op., reg. mach.	Ea 2 machines		
16.	Laundry, coin op., big mach.	Ea machine		
17.	Comm. laundry & dry cleaning	Ea 2 employees		
18.	Doctor's office	Ea 10 employees		
19.	Dentist's office	Ea 5 employees		
20.	Chiropractor's office	Ea 10 employees		
21.	X-ray Laboratory	Ea 10 employees		

shall be based on \$40.64 per year per total number of sewage service units assigned to each category .

One sewage service unit shall be assigned to each unit of measure.

~~Fees shall be~~ based on near-est one-tenth sewage service unit except minimum number of sewage service units shall be 1.0

Number	Category	Unit of Measure	Sewage Service Unit	Monthly Rate
22.	Office, store, warehouse	Ea 10 employees	(Same as Page 4)	(Same as Page 4)
23.	Bar	Ea 25 seats		
24.	Barber, beauty shop	Ea 4 chairs		
25.	Hospital, convalescent home	Ea 2 beds		
26.	Rest & retirement home	Ea 3 beds		
27.	Mobile home park	1 pad = .75 units		

D. High-Strength Sewage Service Charge. High-strength and/or high-volume waste discharger sewage service charges shall be determined based upon the actual quantity of flow, BOD, and SS discharged annually. The unit cost of collection, treatment, and disposal for each constituent (i.e., flow, BOD, SS) shall be determined annually and multiplied by the measured effluent quality and quantity for each discharger to develop the annual sewage service charge.

The unit cost for each of the above constituents shall be determined by: 1) distributing the total capital, operation, and maintenance costs between moderate-strength and high-strength users, 2) proportion the annual costs for high-strength dischargers among the various constituents, and 3) divide the total annual cost for each constituent by the total quantity discharged by the high-strength dischargers. Allocation of capital, operation and maintenance costs shall be in accordance with the following schedule:

	<u>Flow</u>	<u>BOD</u>	<u>SS</u>
Capital Costs	52%	28%	20%
Operation and Maintenance Costs	34%	33%	33%

Based on the foregoing schedule, the unit costs are determined to be as follows:

<u>Constituent</u>	<u>Unit Cost<sup>(1)</sup></u>
Flow	\$195.80/MG
BOD	96.22/1000 lbs.
SS	78.27/1000 lbs.

(1) Based on 1977 costs.

The sewage service charge shall be determined by multiplying the unit cost by the annual quantity of each constituent.

- E. Connection Fees. **All** new connections shall be charged a fee which will normally be paid at the time of issuance of a building permit. The fee shall cover the proportionate capital cost required to provide for future treatment plant capacity which will be utilized by the new dischargers. Each new connection shall be assigned to the moderate-strength or high-strength category by the Public **Works Director**.

- (1) Moderate-strength discharger-connection fees shall be based on a rate of \$290.00 per sewage service unit assigned to the user (e.g., connection fee for a 4-bedroom dwelling or a doctor's office with facilities

for fifteen employees would be \$435.00). The minimum connection fee for a commercial or industrial user shall be one sewage service unit.

- (2) Highstrength discharger-connection fees shall be based on a unit rate for each constituent (i.e., flow, BOD, and SS). The estimated annual quantities of each constituent shall be justified to and approved by the Public Works Director for the purpose of determining the connection fee.

The connection fee for high-strength dischargers shall be determined, based upon the following specific constituent unit costs:

<u>Constituent</u>	<u>Unit Cost</u>
Flow	\$93.67/MG
BOD	28.70/1000 lbs.
SS	17.28/1000 lbs.

The discharger, after one full year of operating data is available, may request the Public Works Director to make an adjustment if a significant variation exists between the estimated and actual quantities for each constituent. Increases in connection fees shall be due and payable on demand at the time the Public Works Director makes the fee adjustment. Decreases in connection fees shall be credited to the following year's sewage service charge.

Sec. 20-4 of the Code of the City of Lodi is hereby repealed and a new section to be numbered Sec. 20-4 is hereby enacted to read in full as follows:

SEC. 20-4. INDUSTRIAL WASTE SYSTEM SEWER SERVICE CHARGES AND  
CONNECTION FEES

- A. General. Charges for use of the industrial waste system shall be determined by the volume and biochemical oxygen demand (BOD) of wastes discharged.
- B. Sewage Service Charges. Industrial waste system sewage service charges shall be determined based upon the actual quantity of flow and BOD discharged annually. The unit cost for each constituent (i.e., flow, BOD), will be determined annually and multiplied by each discharger's measured effluent constituents. The total of the two constituent fees shall be the annual sewage service charge.

The unit cost for each constituent shall be determined by distributing the total operation, maintenance, and capital costs to each constituent at the proportionate rate of 91 percent to flow and 9 percent to BOD, and dividing each proportionate cost by the total annual quantity of each constituent discharged to the system.

Industrial sewage service charges shall be determined based upon the following schedule of unit costs:

<u>Constituent</u>	<u>Unit Cost"</u>
Flow	\$284.23/MG
BOD	4.45/1000 lbs .

"These unit costs shall be adjusted when the actual quantity of constituents have been determined by monitoring.



C. Connection Fees. A one-time connection fee shall be charged on all new connections to the industrial waste system, which shall normally be paid at the time of issuance of a building permit. Fees shall be determined on an individual basis by the Public Works Director and shall be, in part, based upon the value ~~of~~ existing capacity to be utilized and/or the cost of providing additional new capacity. The method for determining the value of the existing capacity shall be on a unit constituent basis ~~as~~ contained in the following schedule:

<u>Constituent</u>	<u>Unit Cost</u>
Flow	\$107.99/MG
BOD	1.70/1000 lbs.

A new section to be numbered Sec. 20-20 is hereby added to Chapter 20 of the Lodi City Code. Said section shall read in full ~~as~~ follows:

#### SEC. 20-20. APPEAL PROCEDURE

The owner or occupants of any premises who finds that the foregoing charges or any other provision of this ordinance are unjust ~~or~~ inequitable: may make written application to the Public Works Director. He must state any special circumstances that exist, show why a different basis of charges for sewer are applicable to his premises or indicate why relief from the provision of this ordinance should be made. The Public Works Director may accept the application, reject the application for sound reasons, or direct the applicant, at his sole expense, to maintain and operate in a manner satisfactory to the Public Works Director such indicating or integrating meters ~~as~~ may be required to properly measure the flow, establish sampling equipment, tests, and procedures satisfactory to the Public **Works** Director to determine the SS or the BOD of the wastes.

The foregoing Ordinance No. 1110 was introduced and adopted as an emergency ordinance by a four-fifths (4/5) vote of the City Council in a regular meeting of the City Council of the City of Lodi held on the 1st day of June, 1977 by the following vote:

Ayes: Councilmen - EHRHARDT, HUGHES,  
KATZAKIAN, PINKERTON  
and KATNICH

Noes: Councilmen - None

Absent: Councilmen - None

Approved this 1st day of June 1977

*Walter J. Katnich*

WALTER-J. KATNICH  
Mayor

*Alice M. Reimche*  
ATTEST: ALICE M. REIMCHE  
City Clerk